Extractive Industries
Transparency Initiative

EITI Requirement on Quasi-fiscal expenditures

Anglophone Africa Webinar on quasi-fiscal expenditures



The global standard for the good governance of oil, gas and mineral resources.

IMF: Public policy implications of QFEs

48. Some functions, referred to as quasi-fiscal activities (QFAs), are carried out on behalf of the government by public corporations or, more rarely, private entities. QFAs can have significant implications for public policy and the general government financial position, but these fiscal effects are not usually reflected in fiscal reports for the general government. For instance, financial or commercial institutions may be asked to undertake lending at subsidized rates, the subsidy component representing a loss to the institution. However, if the government had directly subsidized the activity, it would have appeared as a subsidy in the government's budget and the policy cost would have been transparent. Hence, QFAs are a nontransparent means of implementing a fiscal policy that introduces significant fiscal risk. The costs of QFAs will be borne by the budget either through smaller profit transfers or, eventually, through a need to subsidize or recapitalize the public corporation. A central feature of fiscal transparency, therefore, is the open conduct of all fiscal activity, no matter where and how it takes place.



Source: IMF Fiscal Transparency Manual (2017)

Requirement 6.2

Quasi-fiscal expenditures

Requirement 6.2 – Definition

Requirement 6.2: "Quasi-fiscal expenditures include arrangements whereby SOEs undertake public social expenditure such as payments for social services, public infrastructure, fuel subsidies and national debt servicing, etc. outside of the national budgetary process. Implementing countries and multi-stakeholder groups may wish to take the IMF's definition of quasi-fiscal expenditures into account when considering whether expenditures are considered quasi-fiscal."

Key aspects of quasi-fiscal expenditures to consider:

- What is and is not a quasi-fiscal expenditure?
- Which entities handle extractives revenues that are not recorded in the national budget? Their expenditures should be examined in particular to assess whether any are quasifiscal.



The IMF's definition of quasi-fiscal expenditures

Box 10. Types of Quasi-Fiscal Activity

Operations related to the financial system Subsidized lending

> Administered lending rates Preferential rediscounting practices Poorly secured and subpar loans Loan guarantees

Underremunerated reserve requirements Credit ceilings Rescue operations

Operations related to the exchange system
Multiple exchange rates
Import deposits
Deposits on foreign asset purchases
Exchange rate guarantees
Subsidized exchange risk insurance

Operations related to the commercial enterprise sector Charging less than commercial prices Provision of noncommercial services (e.g., social services) Pricing for budget revenue purposes Paying above commercial prices to suppliers



You can find more guidance on QFEs from the <u>International Budget Partnership</u> and in the IMF's <u>Fiscal Transparency Manual</u>.

Requirement 6.2 – Disclosure requirements

Requirement 6.2: "Where state participation in the extractive industries gives rise to material revenue payments, implementing countries must include disclosures from SOEs on their quasi-fiscal expenditures. The multi-stakeholder group is required to develop a reporting process with a view to achieving a level of transparency commensurate with other payments and revenue streams, and should include SOE subsidiaries and joint ventures."

Key aspects of disclosures to consider:

- What types of quasi-fiscal expenditures has the MSG's work on definitions identified?
- What reporting template would identify the quasi-fiscal components of specific expenditures?



Common challenges in quasifiscal expenditures

Quasi-fiscal expenditures are sub-optimal compared to fiscal expenditures – a national budget usually has parliamentary (and thus citizen) oversight!

Some common challenges related to QFEs:

- Opaque public spending (e.g. on defence);
- Lack of auditing of public expenditures undertaken by quasipublic entities;
- QFEs are undertaken by management that is neither publicly appointed nor part of the civil service;
- QFEs are usually undertaken at a loss or below the usual rate of profit.



Guide to Transparency in Public Finances

Looking Beyond the Core Budget

3. Quasi-fiscal Activities



WWW.OPENBUDGETINDEX.OR

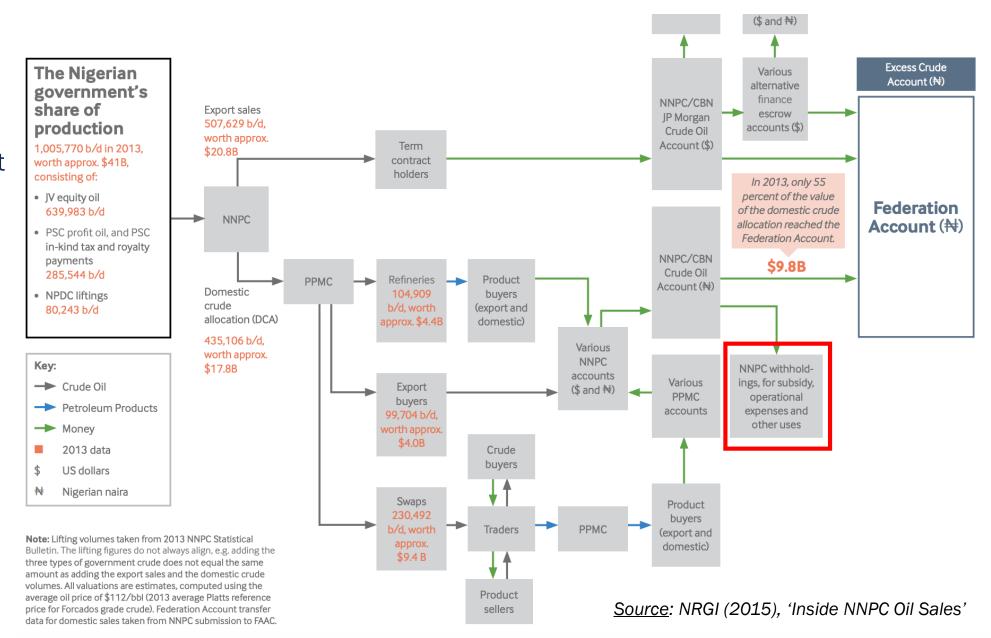
- Off-budget subsidies
- Off-budget public infrastructure
- Off-budget payments for national debt servicing
- Off-budget contributions to Ministry costs



Quasi-fiscal expenditures: Off-budget subsidies

Off-budget subsidies: petroleum products in Nigeria

In Nigeria, NNPC deducted a share of domestic crude allocations off-budget to offset the cost of subsidies on petroleum products sales to the domestic market.





Off-budget subsidies: thermal coal in Mongolia

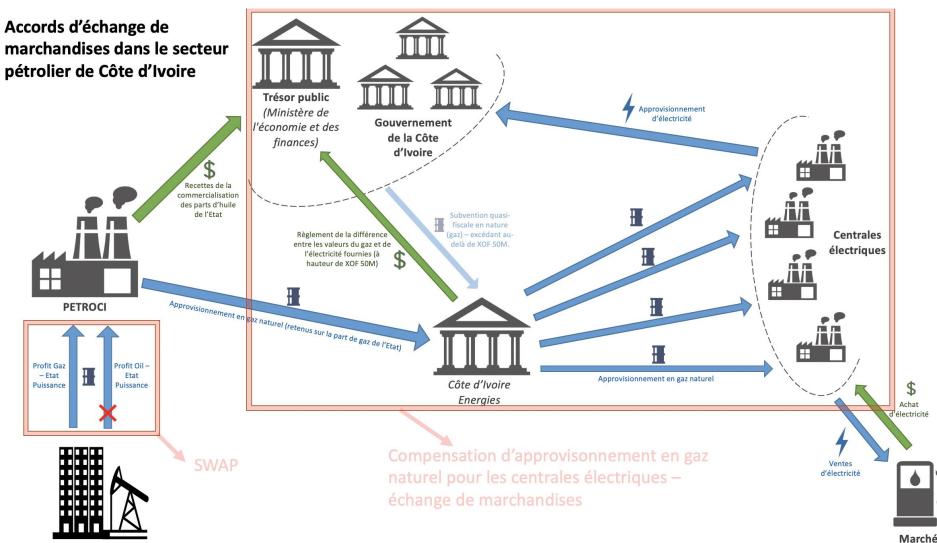
- In Mongolia, implicit subsidies on thermal coal sales to (state-owned) power plants by (state-owned) coal producers are disclosed in EITI Reports.
- These are the only sources of information on off-budget subsidies on the production and sale of thermal coal for power production in Mongolia.

Subsidies											
	Subsidy type	Client	% of total coal supplies	Coal supply				Quasi-fiscal			
SOE				Ton t	MNT m	Average coal price per ton	Average coal cost per ton	Average coal price per ton in USD	expenditure MNT m	Related law	Explanation
		CHP 4	50-60%	1,660	47,615	28,684	29,259	11.75	955		SOEs producing thermal coal
		CHP 3	100%	1,285	36,941	28,741	29,259	11.75	666		make sales to state-owned
Daganuus	Sale of thermal coal	CHP 2 Darkhan	100%	244	6,588	26,978	29,259	11.75	557	The Law	power plants at subsidised prices,
Baganuur JSC	to state- owned power plants below full-cost price.	Power Plant	50-60%	107	2,929	27,381	29,259	11.75	201	on Energy	below full-cost prices and market
		Amgalan Power Plant	40%	39	1,133	29,014	29,259	11.75	10		prices. Baganuur JSC did not take any subsidies
		Baganuur									from the state
		Power Plant	100%	53	1,349	25,502	29,259	11.75	199		budget in 2016.
Total				3,388	96,555				2,588		

Source: Mongolia's 2016 EITI Report, p.125

Off-budget subsidies: natural gas in Côte d'Ivoire

In **Côte d'Ivoire**, the government subsidises natural gas sales to domestic power producers for expenditures above XAF 50bn, without this being recorded in the national budget. The subsidies are drawn from the state's in-kind 'Profit Gas' under PSCs. which are processed domestically for electricity generation.



national



Entreprises Pétrolières

Quasi-fiscal expenditures: Off-budget public infrastructure

Off-budget development of public infrastructure: public dual-carriageway in Madagascar

- In Madagascar, the government SOE in oil and gas (OMNIS) paid USD 2.1m for the construction of a new dual carriageway road to the capital city's airport.
- OMNIS absorbed this in its capital expenditure budget without compensation from the government.
- The auditor qualified its audit opinion due to these expenditures.



Audited financial statements →

2018 EITI Report → En obtenant, le rapport d'audit 2018 de l'OMNIS, nous avons constaté que certaines réserves mentionnées par le Commissaire aux Comptes concernent ce que la Norme EITI appelle « dépenses quasi-fiscales ». Il s'agit de dépenses qui ne concernent pas l'entité mais que l'Etat a demandé à l'OMNIS de prendre en charge en 2018 :

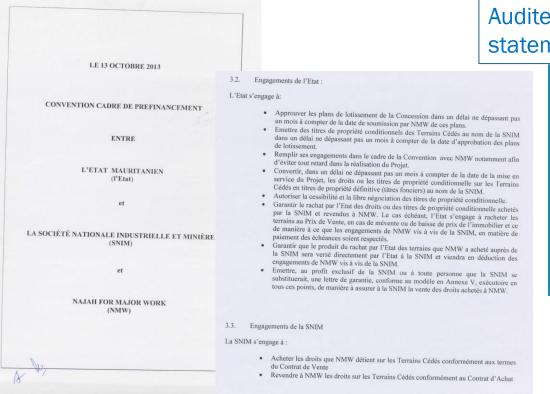
- la construction de la route entre le Bd de l'Europe et l'Aéroport d'une valeur 7 578 774 227,37 MGA d'une part,
- et d'autre part, des frais de personnes hors de l'effectif de l'OMNIS de 418 734 619,15 MGA.
- 3) L'AUTONOMIE de l'établissement, consacré par le premier article de la loi n° 98-031 du 20 janvier 1998 (et maintenu par l'article 2 du projet de loi 025/2018 du 26 juillet 2018) <u>a été remise en cause ou carrément bafouée</u> :
- d'une part, par la prise en charge de frais concernant de personne hors de son effectif pour 418 734 619,15 Ariary pour l'exercice (cf. note 14-d-v et vi) et pour un total de 530 056 918,17 Ariary durant les trois dernières années qui se détaillent comme suit :

exercice	Montant (Ariary)
2016	45 787 872,24
2017	65 534 426,78
2018	418 734 619,15
TOTAL	530 056 918,17

d'autre part, par le prélèvement d'un montant de 7 578 774 227,37 Ariary, décidé en Conseil des Ministres à partir de « communication verbale » des deux ministères en date du 24 avril 2018 pour paiement de « participation de l'Etat » dans la construction de la voie rapide reliant le Boulevard de l'Europe à l'Aéroport International d'Ivato. Le paiement direct, par virement bancaire à l'étranger, dudit montant a été demandé par la Direction Générale du Trésor en date du 01/08/2018 dont le Conseil d'Administration de l'OMNIS « a pris acte et ordonne le paiement » lors de sa réunion en date du 28/09/2018. (cf. note 9-d)

Off-budget development of public infrastructure: capital city's new airport in Mauritania

In **Mauritania**, the mining SOE (SNIM) paid the contractor for Nouakchott's new airport directly and is gradually reimbursed by the state through deductions from its tax (unique royalty payment) payments to government. The deductions by SNIM from its payments to government are not recorded in the national budget.



Audited financial statements

(ii) Par ailleurs, l'analyse des états financiers de la SNIM fait ressortir l'existence d'un prêt dénommé NAJAH qui découle d'une convention tripartite (Etat, SNIM et NAJAH) par laquelle l'Etat s'engage à payer à la SNIM le reliquat du prêt et NAJAH s'engage à réaliser certains travaux en faveur de l'Etat.

2017 EITI Report

Nous comprenons que ce prêt se rapporte à un financement accordé par la SNIM à la société de travaux publics Najah pour la réalisation du nouvel aéroport international de Nouakchott. Toutefois, nous n'avons pas été en mesure d'accéder aux termes de la convention et d'obtenir les informations sur l'encours non remboursé, les conditions et l'échéancier de remboursement.

4.3.1 Autres actifs financiers:

Les prêts et avances consentis aux salariés de la société n'engendrent pas d'intérêts. Les prêts sont enregistrés à la valeur des montants prêtés.

Le Prêt NJAH est relatif suite à la convention tripartite (Etat, SNIM et NAJAH) par laquelle l'Etat s'engage de payer la SNIM le reliquat du prêt et NAJAH s'engage à réaliser certains travaux en faveur de l'Etat.

Les dépôts et cautionnements sont évalués sur la base des montants décaissés. L'écart avec leur juste valeur n'est pas significatif.

Quasi-fiscal expenditures: Off-budget Ministry costs

Off-budget Ministry costs: Madagascar

2018 EITI Report →

- In Madagascar, the government SOE in oil and gas (OMNIS) is required to finance the costs of its ministry' overseas travels.
- The 2018 EITI Report discloses the total paid in such fees, without further explanation.
- OMNIS subsequently published the detail of these expenditures on its website.



OMNIS' additional disclosures →

Dépenses quasi-fiscales

Les dépenses quasi-fiscales concernent les accords par le biais desquels les entreprises d'État entreprennent des dépenses sociales telles que les paiements pour des services sociaux, pour des infrastructures publiques, pour des subventions sur les combustibles ou pour le service de la dette nationale, extérieures au processus de budget national. En obtenant, le rapport d'audit 2018 de l'OMNIS, nous avons constaté que certaines réserves mentionnées par le Commissaire aux Comptes concernent ce que la Norme EITI appelle « dépenses quasi-fiscales ». Il s'agit de dépenses qui ne concernent pas l'entité mais que l'Etat a demandé à l'OMNIS de prendre en charge en 2018 :

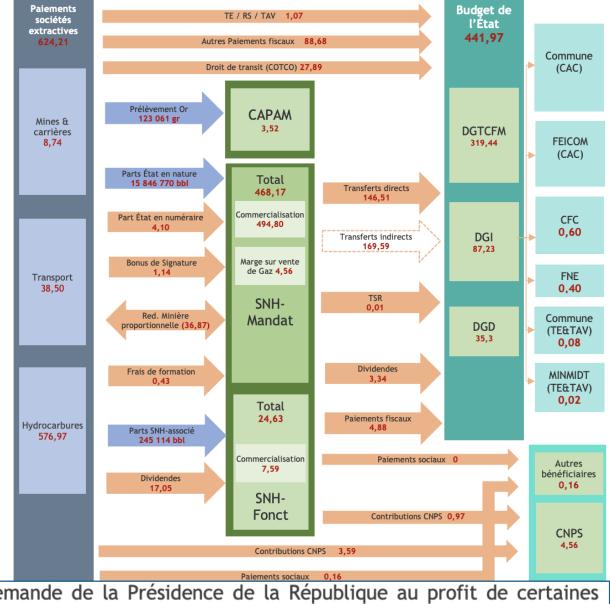
- la construction de la route entre le Bd de l'Europe et l'Aéroport d'une valeur 7 578 774 227,37 MGA d'une part,
- et d'autre part, des frais de personnes hors de l'effectif de l'OMNIS de 418 734 619,15 MGA.

01/09/18 au 07/09/18	Indemnité Ministre auprès du Ministère des Mines et des Ressources Stratégique - MMRS	26 344 014,67	Beijing Chine	Sommet du forum sur la coopération Sino Africaine (FCSA)
08/10/18 au 16/10/18	Indemnité Ministre auprès du Ministère des Mines et des Ressources Stratégique - MMRS	29 727 500,00	Armenie	17ème sommet de la francophonie
28/02/18 au 03/03/18	Frais de transport Ministre auprès du Ministère des Mines et des Ressources Stratégique - MMRS	40 300 000,00	Moscou	
09 /03/18 au 01/05/18	Frais de transport PCA OMNIS	19 320 000,00	Paris	
22/05/18 au 29/05/18	Frais de transport Ministre auprès du Ministère des Mines et des Ressources Stratégique - MMRS	18 910 000,00	Saint Petersbourg	
	Frais de transport Ministre auprès du Ministère des Mines et des Ressources Stratégique - MMRS	8 300 000,00	Addis Abeba	
18/05/18 au 29/05/18	Frais de transport PCA OMNIS	21 995 000,00	Paris - Saint Petersbourg	
15/06/18 au 19/06/18	Frais de transport PCA OMNIS	12 625 000,00	Paris	
14/01/18 au 21/01/18	Frais de transport PCA OMNIS	14 715 783,00	Paris	
01/09/18 au 06/09/18	Frais de transport Ministre auprès du Ministère des Mines et des Ressources Stratégique - MMRS	39 765 000,00	Chine	

Figure 1 - Revenus du secteur extractif

Off-budget Ministry costs: defence and intelligence spending in Cameroon

- In Cameroon, the national oil company (SNH) covers defence and intelligence expenditures that have been planned in the national budget, through deductions from the government's oil revenues.
- The Presidency is empowered to direct this kind of SNH spending on behalf of six government agencies.





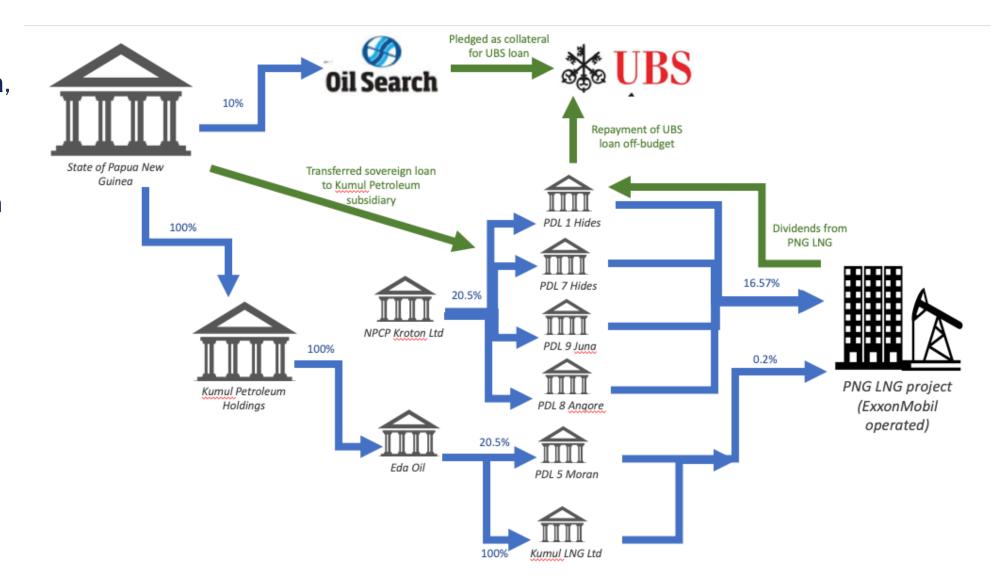
Les interventions directes sont initiées à la demande de la Présidence de la République au profit de certaines structures qui lui sont rattachées incluant entre autres le Ministère de la Défense (MINDEF), le Ministère de la Justice (MINJUSTICE), la Direction Générale de la Recherche Extérieure (DGRE), la Direction Générale à la Sureté Nationale (DGSN), Direction de la Sécurité Présidentielle (SDP) et le Secrétariat d'État à la Défense (SED).

Quasi-fiscal expenditures: Off-budget repayments of national debt

Off-budget repayment of national debt: PNG

In Papua New Guinea, the government used proceeds from PNG LNG to pay off national debt through the national oil company (Kumul Petroleum). The debt and its servicing would not feature on the government's budget until it was paid off in 2017.





Off-budget repayment of national debt: Republic of Congo

In the **Republic of Congo** in 2017, 50% of the proceeds of the state's oil sales were retained to pay off

POWER

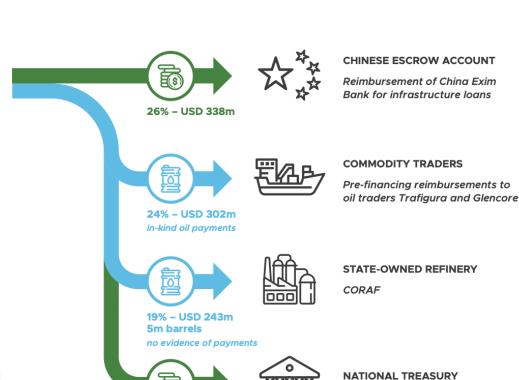
PLANT

national debt to the Government of the People's Republic of China and commodity traders.



MAPPING ALLOCATIONS OF IN-KIND OIL REVENUES IN THE REPUBLIC OF CONGO IN USD FOR THE 2017 FISCAL YEAR 27m barrels NATIONAL OIL COMPANY State share of in-kind oil revenues SNPC (Société Nationale In-kind royalty and profit-oil payments des Pétroles du Congo) from oil companies to SNPC 4.6m barrels Lifted directly by ENI to reimburse building of a power plant

19% - USD 242m



10% - USD 127m

Ministry of Economy, Industry

and Public Finance





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